

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 295

September 19, 1996, 11:22 am
Page S-10913 Temp. Record

MAGNUSON FISHERIES REAUTHORIZATION/Final Passage

SUBJECT: Sustainable Fisheries Act . . . S. 39. Final passage, as amended.

ACTION: BILL PASSED, 100-0

SYNOPSIS: As passed, S. 39, the Sustainable Fisheries Act, will reauthorize and amend the Magnuson Fisheries Act. (The Magnuson Act governs commercial and recreational fishing in federally controlled waters. It provides a national framework for conserving and managing marine fisheries within the United States' exclusive economic zone (EEZ) that extends from the seaward boundary of each coastal State and territory out to 200 nautical miles from shore. Eight regional councils develop fishery management plans that are consistent with national standards that prevent overfishing.) Key provisions of S. 295 including the following:

- authorizations will also be extended for other marine statutes, including the Interjurisdictional Fisheries Act, the Atlantic Coastal Fisheries Cooperative Management Act, and the Anadromous Fish Conservation Act;
- "overfished" and "overfishing" will be defined, annual reports will be made on fisheries, and a council will have 1 year to devise a corrective plan for any areas found to be overfished or approaching an overfished condition;
- numerous "bycatch" (incidental fish that are caught when catching marketable seafood) and waste reduction provisions will be enacted; those provisions will minimize bycatch and reduce the mortality of bycatch when it cannot be avoided; special provisions will be enacted on shrimp trawling in the Gulf of Mexico and the South Atlantic; the Gulf Council will retain decision-making authority over the bycatch program of the red snapper, without which the red snapper fishery would be closed;
- "essential fish habitat" will be defined for the purposes of the Magnuson Act, and steps will be taken to protect such habitat;
- management reforms will be made to council operations;
- a moratorium through FY 2000 will be placed on new individual fishing quotas, and other restrictions will be imposed;
- community development quotas for Alaskan villages that have been suggested by a council for several major Bering Sea fisheries will be mandated, and similar programs will be authorized for the western Pacific;
- Alaska will be allowed to regulate fisheries in Federal waters that have no approved fishery management plan;

(See other side)

YEAS (100)				NAYS (0)		NOT VOTING (0)	
Republican (53 or 100%)		Democrats (47 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Abraham	Helms	Akaka	Inouye				
Ashcroft	Hutchison	Baucus	Johnston				
Bennett	Inhofe	Biden	Kennedy				
Bond	Jeffords	Bingaman	Kerrey				
Brown	Kassebaum	Boxer	Kerry				
Burns	Kempthorne	Bradley	Kohl				
Campbell	Kyl	Breaux	Lautenberg				
Chafee	Lott	Bryan	Leahy				
Coats	Lugar	Bumpers	Levin				
Cochran	Mack	Byrd	Lieberman				
Cohen	McCain	Conrad	Mikulski				
Coverdell	McConnell	Daschle	Moseley-Braun				
Craig	Murkowski	Dodd	Moynihan				
D'Amato	Nickles	Dorgan	Murray				
DeWine	Pressler	Exon	Nunn				
Domenici	Roth	Feingold	Pell				
Faircloth	Santorum	Feinstein	Pryor				
Frahm	Shelby	Ford	Reid				
Frist	Simpson	Glenn	Robb				
Gorton	Smith	Graham	Rockefeller				
Gramm	Snowe	Harkin	Sarbanes				
Grams	Specter	Heflin	Simon				
Grassley	Stevens	Hollings	Wellstone				
Gregg	Thomas		Wyden				
Hatch	Thompson						
Hatfield	Thurmond						
	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

- research will be increased to improve the scientific basis of fishery management plans;
- buyout programs will be permitted to reduce the number of approved fishing vessels or permits;
- fisheries disaster relief may be provided;
- for fisheries undergoing rebuilding, vessel refinancing and extended repayment schedules will be authorized; and
- limited autonomy will be given to Guam, American Samoa, and the Northern Marianas in managing their fishery resources.

Those favoring final passage contended:

This bipartisan bill that was developed painstakingly over 3 years will make the most significant revisions in the Magnuson Act since it was enacted in 1976. The original goals of the Act were to Americanize the fisheries off our shores with a 200-mile limit and to make those fisheries operate on a sustainable basis. The first goal has largely been met, but, largely due to growth in the U.S. fishing industry, further reforms now need to be made to reach the second goal. One of the first problems is that we need more data on the level of harvests that are sustainable. By trial and error, from depleting fishing stocks, a general idea of how much fish can be taken has been gained. Still, more needs to be learned, and this bill will provide for the needed research. Second, and relatedly, we need to provide protection for fish habitat to increase fishing stocks, and this bill will provide that protection. A third area this bill will address is bycatch. By some estimates, the amount of bycatch each year is equal to three times the amount of fish that are caught each year over sustainable levels. If we could just drastically reduce bycatch, and we believe that this bill will achieve that end, we will be able to increase fish harvests and sustain them indefinitely. This bill has tough but necessary provisions that will serve the needs of numerous competing commercial fishing industries, of sport fishermen, of environmentalists, and of various regional needs. Senators have put aside their party differences to craft this fair and very needed bill. It should pass with overwhelming support.

No arguments were expressed in opposition to final passage.